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**Andrea S. Sanders**  
**Marshall C. Sanders**

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

ANDREA S. SANDERS, an individual,  
MARSHALL C. SANDERS, an  
individual,

Plaintiffs,

v.

LOANCARE, LLC, a Virginia limited  
liability company; and DOES 1-50,  
inclusive,

Defendants.

CASE NO.: 2:18-CV-09376-PA (RAOx)

*Assigned to the Honorable Percy Anderson*

**PLAINTIFFS' NOTICE OF  
UNOPPOSED MOTION AND  
UNOPPOSED MOTION FOR FINAL  
APPROVAL OF PROPOSED CLASS  
ACTION SETTLEMENT AND  
CERTIFICATION OF SETTLEMENT  
CLASS**

Date: November 16, 2020  
Time: 10:00 AM  
Courtroom: 9A

First Removal Notice: November 2, 2018  
Amended Removal: November 12, 2018  
FAC Filed on: April 2, 2019  
SAC Filed on: April 14, 2019

**TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

PLEASE TAKE NOTICE that on November 16, 2020 at 10:00 AM or as soon thereafter as the matter can be heard, in Courtroom 9A of the above entitled Court, located at 350 West First Street, 9th Floor, Los Angeles, C 90012, Plaintiffs Andrea S. Sanders and Marshall C. Sanders (“Plaintiffs”), individually and on behalf of all others similarly situated in the Settlement Class, by and through the undersigned Class Counsel, will and hereby do move for an Order granting final approval of a proposed nationwide class action settlement (“Settlement”), certification of the Settlement Class, and approval of the Notice Plan as fair, adequate and reasonable to the Class.

Plaintiffs, with the consent of Defendant LoanCare LLC, hereby request that the Court:

1. Conduct a Final Approval (Fairness) Hearing on this Motion on November 16, 2020 at 1:30 PM;

2. Approve the Amended and Restated Class Action Settlement Agreement (Dkt. 82-1) (“Settlement Agreement”) and any addenda thereto as fair, adequate and reasonable to Plaintiff and the Class as a whole and as compliant with Rule 23(e) of the Federal Rules of Civil Procedure, and direct the Settlement Agreement’s consummation according to its terms;

3. Find that the form and manner of Class Notice was implemented in accordance with the Settlement Agreement and: (i) constitutes reasonable and the best practicable notice; (ii) constitutes notice reasonably calculated, under the circumstances, to apprise Class Members of the pendency of the litigation, the terms of the proposed Settlement Agreement, the right to object to the proposed Settlement Agreement or exclude themselves from the Class, and the right to appear at the Final Fairness Hearing; (iii) constitutes due, adequate, and sufficient notice to all persons entitled to receive notice; and (iv) meets the requirements of state and federal due process, the Federal Rules of Civil Procedure, and any other applicable state and/or federal laws;

1 4. Certify the Settlement Class, as defined in Paragraph 39 of the Settlement  
2 Agreement and the Court's September 16, 2019 Order (Dkt. 82-1, Ex. 1) for the purpose  
3 of settlement;

4 5. Find that all Class Members shall be bound by the Settlement Agreement,  
5 including its release provisions, except for those who have submitted a valid opt-out  
6 request;

7 6. Direct that judgment be entered dismissing with prejudice all individual and  
8 class claims asserted in the litigation and rule that no costs or fees be assessed on either  
9 party other than as expressly provided in the Settlement Agreement and awarded by the  
10 Court in ruling upon Plaintiff's Unopposed Motion for an Award of Class Representative  
11 Incentive Payment and Attorneys' Fees and Costs filed concurrently herewith;

12 7. Incorporate the release and related provisions set forth in the Settlement  
13 Agreement and bar any Released Claims against the Released Parties;

14 8. Continue to appoint Plaintiffs Andrea S. Sanders and Marshall C. Sanders  
15 as Class Representative for settlement purposes;

16 9. Continue to appoint Zimmerman Reed LLP and Gubernick Law P.L.L.C. as  
17 Class Counsel for settlement purposes;

18 10. Approve the work to date of RG/2 Claims Administration LLC and continue  
19 to appoint it as Settlement Administrator;

20 11. Exclude all Class Members who timely filed exclusions from the Class;

21 12. Overrule any and all objections to the settlement that were timely filed and  
22 find that they fail to raise any *prima facie* grounds for questioning the fairness,  
23 reasonableness and adequacy of the settlement<sup>1</sup>;

24 13. Approve payment of the benefits to the Class Members consistent with the  
25 Settlement Agreement; and

26 14. Retain jurisdiction over all matters relating to this action including, but not  
27 limited to, the following: (1) implementation and enforcement of the Settlement  
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<sup>1</sup> As of the filing of this Notice, no objections to the Settlement have been received.

1 Agreement pursuant to further orders of this Court, until such time as the final judgment  
2 contemplated hereby has become effective and each and every act agreed to be performed  
3 by the parties hereto shall have been performed pursuant to the Settlement Agreement,  
4 including all payments set forth thereunder; (2) any other action necessary to conclude  
5 this settlement and implement the Settlement Agreement; (3) proceedings related to the  
6 Motion for An Award of Class Representative Incentive Payment and Attorney's Fees  
7 and Costs; and, (4) the enforcement, construction, and interpretation of the Settlement  
8 Agreement.

9 As discussed in the accompanying memorandum, approval of the Settlement  
10 Agreement and the related relief requested herein is appropriate under applicable law and  
11 well justified under the circumstances of this matter.

12 This motion is based upon this notice of motion and motion, the accompanying  
13 Memorandum of Points and Authorities, the Settlement Agreement (Dkt. 82-1, Ex. 1),  
14 including all exhibits and addenda thereto and all papers filed in support thereof, the  
15 accompanying declarations of Christopher P. Ridout, Benjamin Gubernick, Jessie  
16 Montague, Andrea S. Sanders, and Marshall C. Sanders, the argument of counsel, all  
17 papers and records on file in this case, and such other matters as this Court may consider.

18 Respectfully submitted,

19 ZIMMERMAN REED LLP

20 Date: October 19, 2020

By: /s/ Christopher P. Ridout  
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